

**Cour
Pénale
Internationale**



**International
Criminal
Court**

Original: **English**

No.: **ICC-01/14-01/22**

Date: **4 April 2025**

THE PRESIDENCY

Before: Judge Rosario Salvatore Aitala, Acting President
Judge Reine Alapini-Gansou, Acting First Vice-President
Judge Luz del Carmen Ibáñez Carranza, Acting Second Vice-President

SITUATION IN THE CENTRAL AFRICAN REPUBLIC II

IN THE CASE OF

THE PROSECUTOR v. MAXIME JEOFFROY ELI MOKOM GAWAKA

Public

Decision Replacing a Judge in the Appeals Chamber

Decision to be notified in accordance with regulation 31 of the *Regulations of the Court* to:

☒ **The Office of the Prosecutor**

☒ **Counsel for the Defence**

☐ **Legal Representatives of the Victims**

☐ **Legal Representatives of the Applicants**

☐ **Unrepresented Victims**

☐ **Unrepresented Applicants
(Participation/Reparation)**

☐ **The Office of Public Counsel for
Victims**

☐ **The Office of Public Counsel for the
Defence**

☐ **States' Representatives**

☐ **Amicus Curiae**

REGISTRY

Registrar
Mr Zavala Giler, Osvaldo

☐ **Counsel Support Section**

☐ **Victims and Witnesses Unit**

☐ **Detention Section**

☐ **Victims Participation and Reparations
Section**

☒ **Other**
Appeals Chamber

1. The *ad hoc* Presidency of the International Criminal Court (the ‘Court’) takes note of the Article 85 Chamber’s Decision on Mr Mokom’s Request for Leave to Appeal the ‘Decision on Mr Mokom’s request for compensation’ dated 14 March 2025, in the case of *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka*, in which leave to appeal was granted pursuant to article 82(1)(d) of the Rome Statute (the ‘Appeal’).¹
2. On 28 March 2025, Judge Tomoko Akane transmitted to her fellow members of the Presidency a request to be excused from the Appeals Chamber in the Appeal pursuant to article 41(1) of the Rome Statute and rule 33 of the Rules of Procedure and Evidence (the ‘Rules’), on the basis that, as a former member of Pre-Trial Chamber II, she had participated in the pre-trial phase of the proceedings in the case, including by addressing legal issues which appear to overlap with those forming part of the Appeal (‘Request for Excusal’).² An *ad hoc* Presidency, consisting of Judge Rosario Salvatore Aitala, Judge Reine Alapini-Gansou and Judge Luz del Carmen Ibáñez Carranza, considered the Request for Excusal and granted it on 4 April 2025.³
3. The *ad hoc* Presidency notes that rule 38 of the Rules provides for the replacement of judges for objective and justified reasons, including accepted excuse, and that, pursuant to regulation 15 of the Regulations of the Court, the Presidency is responsible for the replacement of judges.
4. The *ad hoc* Presidency hereby decides that Judge Akane will be replaced in the Appeals Chamber for the purpose of the Appeal by Judge Nicolas Guillou and hereby temporarily attaches Judge Guillou to the Appeals Division for this purpose. The *ad hoc* Presidency has decided to assign Judge Guillou to the Appeal after objectively assessing in detail the actual and prospective workload of all judges of the Court able to sit in the case, considering also the desirability of providing different judges an opportunity to participate in appeals.
5. The *ad hoc* Presidency decides that the Appeals Chamber shall be composed, for the purpose of the Appeal, as follows:

¹ Article 85 Chamber, *The Prosecutor v. Maxime Jeoffroy Eli Mokom Gawaka*, [Decision on Mr Mokom’s Request for Leave to Appeal the ‘Decision on Mr Mokom’s request for compensation’](#), 14 March 2025, ICC-01/14-01/22-357.

² Annex 1.

³ Annex 2.

Judge Luz del Carmen Ibáñez Carranza

Judge Solomy Balungi Bossa

Judge Gocha Lordkipanidze

Judge Erdenebalsuren Damdin

Judge Nicolas Guillou.

Done in both English and French, the English version being authoritative.



Judge Rosario Salvatore Aitala
Acting President

Dated this 4 April 2025

At The Hague, The Netherlands